Chief Magistrate Judge James P. Donohue

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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re the Search of: Google (Gmail) email account	**NO. MJ16-00051** **GOVERNMENT'S MOTION TO UNSEAL SEARCH WARRANT RELATEDMATERIALS AND [~~PROPOSED~~] ORDER** JPD

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Cecelia Gregson, Special Assistant United States Attorney for said District, requests entry of an order unsealing the search warrant, application, affidavit in support and accompanying return ("search warrant related materials") filed in the above captioned matter. The Court previously directed that the search warrant related materials be sealed at the government's request. The materials were to remain sealed until further order of the Court.

The law provides that search warrant related materials may remain under seal during the pendency of an investigation. *See United States v. Custer Battlefield Museum*, 658 F.3d 1188, 1192-93 and 1196 (9th Cir. 2011). In addition, the government may seek an order continuing to maintain the materials under seal even after the return of an indictment or the closure of an investigation based on compelling reasons. *Id. at 1195.* Those reasons can include the need to (1) protect the identity and safety of witnesses, (2)

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protect the integrity of other investigations, (3) avoid risk of flight, tampering with witnesses, or destruction of evidence, (4) protect a national security concern, (5) protect a matter occurring before the grand jury, (6) protect victims, or (7) protect the safety of the target of the investigation.

Upon review of the files in this matter, and with due consideration of the factors identified above, the government has determined there is no longer a compelling reason to maintain the materials under seal and respectfully requests entry of the attached order.

DATED this 13th day of July, 2017.

Respectfully submitted,

ANNETTE L. HAYES
United States Attorney

s/Cecelia Gregson

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ORDER

Based upon the government's Motion, and the representations made therein, the Government's Motion to Unseal is GRANTED.

IT IS HEREBY ORDERED that the search warrant, application, affidavit in support and accompanying return previously filed under seal in the above-captioned matter shall be UNSEALED.

DATED this 14th day of July, 2017.

JAMES P. DONOHUE
Chief United States Magistrate Judge